

07/02/01
JC885 U.S. PTO

Please type a sign (+) inside this box

PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-003
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. PZ035P1C1

First Inventor Ruben et al.

Title 47 Human Secreted Proteins

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 449]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
5. ☒ Oath or Declaration [Total Pages 16]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper (114 pgs.)
 - c. ☒ Request under 37 CFR 1.821(e)

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet and document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/ Form PTO/SB/08
☐ Copies of Citations
13. ☒ Preliminary Amendment w/ Version with Markings to Show Changes Made
14. ☒ Return Receipt Postcard (MPEP 503)
(should be specifically itemized)
15. ☐ Certified copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Copy of Petition for Extension of Time submitted concurrently w/ Appln. No. 09/591,316

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 09/591,316
Prior application information: Examiner O'Hara, E. Group/Art Unit: 1646

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

22195

or ☐ Correspondence address below

NAME

ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

NAME (Print/Type)

Michele M. Wales

Registration No. (Attorney/Agent)

43,975

SIGNATURE

Michele M. Wales

Date July 2, 2001

Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete could be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box Patent Application, Washington, DC 20231.

09/895298
07/02/01
JC885 U.S. PTO

Under the Paperwork Reduction Act of 1995, no persons are required to respond to this collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001				Complete if Known																																																																																																																																																																																																														
<i>Patent fees are subject to annual revision.</i>																																																																																																																																																																																																																		
				Application Number		Unassigned																																																																																																																																																																																																												
				Filing Date		herewith																																																																																																																																																																																																												
				First Named Inventor		Ruben et al.																																																																																																																																																																																																												
				Examiner Name																																																																																																																																																																																																														
				Group Art Unit																																																																																																																																																																																																														
Total amount of payment		(\$) 862.00		Attorney Docket Number		PZ035P1C1																																																																																																																																																																																																												
METHOD OF PAYMENT (CHECK ONE)				FEE CALCULATION (CONTINUED)																																																																																																																																																																																																														
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number 08-3425 Deposit Account Name Human Genome Sciences, Inc. <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other* *Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 08-3425				3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920</td><td>112</td><td>920</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840</td><td>113</td><td>1,840</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive -unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>581</td><td>40</td><td>481</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>190</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify):</td><td></td></tr> <tr><td colspan="6">Other fee (specify):</td><td></td></tr> <tr><td colspan="6">*Reduced by Basic Filing Fee Paid</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">Subtotal (3)</td> <td colspan="2"></td> <td colspan="2" style="text-align: right;">\$</td> </tr> </tbody> </table>				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late provisional filing fee or cover sheet		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920	112	920	Requesting publication of SIR prior to Examiner action		113	1,840	113	1,840	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive -unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Statement		581	40	481	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	190	169	900	Request for expedited examination of a design application		Other fee (specify):							Other fee (specify):							*Reduced by Basic Filing Fee Paid							Subtotal (3)						\$	
				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																									
105	130	205	65	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																														
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																														
139	130	139	130	Non-English specification																																																																																																																																																																																																														
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																																														
112	920	112	920	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																														
113	1,840	113	1,840	Requesting publication of SIR after Examiner action																																																																																																																																																																																																														
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																														
116	390	216	195	Extension for reply within second month																																																																																																																																																																																																														
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																														
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																																														
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																														
119	310	219	155	Notice of Appeal																																																																																																																																																																																																														
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																														
121	270	221	135	Request for oral hearing																																																																																																																																																																																																														
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																														
140	110	240	55	Petition to revive -unavoidable																																																																																																																																																																																																														
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																																														
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																														
143	440	243	220	Design issue fee																																																																																																																																																																																																														
144	600	244	300	Plant issue fee																																																																																																																																																																																																														
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																														
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																														
126	240	126	240	Submission of Information Disclosure Statement																																																																																																																																																																																																														
581	40	481	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																														
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																														
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																														
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																																														
169	190	169	900	Request for expedited examination of a design application																																																																																																																																																																																																														
Other fee (specify):																																																																																																																																																																																																																		
Other fee (specify):																																																																																																																																																																																																																		
*Reduced by Basic Filing Fee Paid																																																																																																																																																																																																																		
Subtotal (3)						\$																																																																																																																																																																																																												

Submitted By		Complete (if applicable)	
Name (Print/Type)	Michele M. Wales	Registration No.:	43,975
Signature		Telephone	301-309-8504
		Date	July 2, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ruben et al.

Application Number: 09/591,316

Group Art Unit: 1646

Filed: June 9, 2000

Examiner: O'Hara, E.

Title: 47 Human Secreted Proteins

Attny. Docket No. PZ035P1

JC971 U.S. PTO
09/895298
07/02/01

Petition for Extension of Time Under 37 C.F.R. §1.136

Commissioner for Patents
Washington, D.C. 20231

COPY

Sir:

Applicants petition the Commissioner for Patents to extend the time for response to the Office Action dated May 1, 2001 for one (1) month from June 1, 2001 to and including July 2, 2001 (July 1, 2001 being a Sunday). Applicants point out that a continuation of the above-identified application is being filed concurrently herewith.

Please charge Deposit Account No. 08-3425 in the amount of \$110.00 to cover the cost of the extension. In the event that any additional fees are due in connection with this submission, please charge our Deposit Account No. 08-3425. A duplicate of this paper is enclosed.

Respectfully submitted,

Date:

July 2, 2001

Michele M. Wales

Michele M. Wales

(Reg. No. 43,975)

Attorney for Applicants

Human Genome Sciences, Inc.

9410 Key West Avenue

Rockville, MD 20850

(301) 610-5772 (phone)

MMW/CAW/ur